

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EUGENE F. MCNETT,

Plaintiff,

v.

VA MEDICAL CENTER,

Defendant.

CIVIL ACTION NO. 08-10674

DISTRICT JUDGE MARIANNE O. BATTANI

MAGISTRATE JUDGE DONALD A. SCHEER

**ORDER DENYING APPLICATION FOR
APPOINTMENT OF COUNSEL**

Plaintiff's pro se Complaint was filed on February 15, 2008. On May 5, 2008, Plaintiff filed an Application for Appointment of Counsel. This matter is before the magistrate judge pursuant to an Order of Reference for all pretrial proceedings.

There is no right to the appointment of counsel in civil cases. The court has no funds with which to compensate attorneys for their professional services on behalf of indigent civil litigants. While the court does administer a program for assignment of civil cases to attorneys on a voluntary basis, demand for such services exceeds the number of available volunteers. In addition, the Complaint in this action may be subject to dismissal for violation of Fed.R.Civ.P. 4(m) and/or as untimely under the provisions of 28 U.S.C. §2401(b). Based upon the foregoing, the court finds that Plaintiff's Application for Appointment of Counsel should be denied.

IT IS THEREFORE ORDERED that Plaintiff's Application for Appointment of Counsel is denied, without prejudice.

s/Donald A. Scheeer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: June 25, 2008

CERTIFICATE OF SERVICE

I hereby certify on June 25, 2008 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on June 25, 2008. **Eugene McNett.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217